

STANDARDS FOR INSTITUTIONS

1. The following are the kinds of institutions in which medical care and services may be provided under the State plan:
 - a. Hospitals, including psychiatric hospitals; and
 - b. Skilled Nursing Facilities, Intermediate Care Facilities and Intermediate Care Facilities for the Mentally Retarded.
2. The following standards are used to determine whether an institution can be certified for participation in the D.C. Medicaid program:
 - a. For all institutions, the requirements of the D.C. Health Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, and the rules issued pursuant to that Act; and
 - b.
 - (1) For hospitals, including psychiatric, the Conditions of Participation for Hospitals, 42 CFR 405, Subpart J;
 - (2) For skilled nursing facilities, the Conditions for Participation for Skilled Nursing Facilities, 42 CFR 405, Subpart K;
 - (3) For intermediate care facilities, the requirements contained in 42 CFR 442, Subpart E;
 - (4) For intermediate care facilities for the mentally retarded (whether licensed as an intermediate care facility or a group home for the mentally retarded), the requirements contained in 42 CFR 422, Subpart G.

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3) Nurse Aide Training and Competency Evaluation Program

- a) The Director of the Department of Human Services shall be responsible for the initial approval and reapproval of the nurse aide training program, and curriculum and the competency evaluation program.
- b) Agencies involved in developing and administering the nurse aide training and competency evaluation programs are as follows:
 - 1) Department of Human Services, Commission of Public Health, Long Term Care Administration;
 - 2) Department of Human Services, Office of Controller, Office of Health Care Financing;
 - 3) Department of Consumer and Regulatory Affairs, Service Facility Regulation Administration; and
 - 4) University of the District of Columbia.
- c) The Department of Human Services, Commission of Public Health, Long Term Care Administration is charged with overseeing the administration of the training and competency evaluation programs, and conducting the District of Columbia review for compliance with program requirements.
- d) The nurse aide training and competency evaluation programs will be reviewed for compliance with Public Law 100-203 by the Long Term Care Administration on a routine basis but no less than annually.

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- e) A nurse aide employed as of January 1, 1990, shall only be required to successfully complete the competency evaluation program by October 1, 1990.
- f) The University of the District of Columbia has been designated as the District of Columbia approved training provider for the nurse aide training program for the initial period until standards have been promulgated.
- g) The University of the District of Columbia under agreement with the Department of Human Services will be responsible for obtaining sufficient qualified staff to conduct the initial competency evaluation program.
- h) A standard test will be used for the competency evaluation of currently employed nurse aides. Those nurse aides who do not successfully complete the competency evaluation shall be allowed two additional opportunities to successfully complete it at the expense of the Medicaid program.
- i) Nurse aides need not pass the written or oral component before taking the clinical skills component of the competency evaluation.
- j) The District of Columbia Medicaid Program will pay for the refresher course for nurse aides already working on January 1, 1990. Nursing facilities may be reimbursed for nurse aides sent to an approved training program.
- k) The Department of Consumer and Regulatory Affairs will establish and maintain a nurse aide registry.

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- l) Effective October 1, 1990, a facility must not use any individual working in the facility as a nurse aide for more than 4 months, on a full-time, temporary, per diem, or other basis, unless: (1) That individual has completed a training and competency evaluation program, or a competency evaluation program approved by the District of Columbia and (2) That individual is competent to provide nurse aide services.
- m) The University of the District of Columbia may use facilities as clinical sites except that any nursing facility which has had an adverse action taken against it within the prior two years may not be used as a clinical site by the District of Columbia program. The term adverse action for clinical sites includes any nursing facility which has a restricted license, provisional license, revoked license, short term provider agreement, or has lost either its Title XVIII or Title XIX certification.

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